

Remarks

Claims 1-24 have been canceled without prejudice or disclaimer. Applicants reserve the right to pursue the canceled subject matter in one or more continuing applications. Claims 25-45 are new. Support for the new claims can be found throughout the specification as filed. Specifically, support for new claims 25-45 may be found, for example, at Table 1, page 39, row 4 (Gene No. 14); at page 42, line 1 to page 45, line 8; (ATCC™ deposit and signal sequences); and at page 26, line 32 to page 28, line 17 (Features of Protein Encoded by Gene No: 14). Further support for new claims 25-45 may be found, for example, at page 73, lines 9-11 and 27-31 (30 contiguous amino acids); at page 46, line 32 to page 50, line 34 (90% identity); at page 56, lines 19-21 (glycosylation); page 88, Example 9 (heterologous polypeptide); and at page 55, line 1 to page 56, line 28 (cellular expression and polypeptide recovery). No new matter has been introduced.

Election

Pursuant to the present Office Action mailed July 19, 2005 the Examiner has separated the claimed invention into 219 groups. *See*, Office Action No. 7142005, pages 2-4. The Examiner contends that the 219 groups of inventions are independent and/or distinct, each from the other, and has required an election under 35 U.S.C. § 121. Furthermore, the Examiner has required election of a single polypeptide sequence. *Id.* at 4.

Applicants elect Group 35, drawn to the isolated polypeptide of original claims 11, 12 and 16 (now canceled), which encompasses newly added claims 25-45, drawn to, *inter alia*, isolated SEQ ID NO:45 polypeptide and the polypeptide encoded by the HNGBV36 cDNA contained in ATCC™ Deposit No. 209074. Applicants submit that newly added claims 25-45 fall within the scope of Group 35 as defined by the Examiner. Applicants reserve the right to file one or more divisional or continuation applications directed to non-elected inventions should the restriction requirement be made final.

Conclusion

Applicants respectfully request that the above-made amendments and remarks be entered and made of record in the file history of the instant application. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicant would expedite the examination of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425.

Dated: 8/19/2005

Respectfully submitted,

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